

**CORPORATION OF THE TOWNSHIP OF CHISHOLM
BY-LAW 2013-13**

Being a By-law to establish and regulate a Fire Department

Whereas the Municipal Act, S.O. 2001, c. 25 as amended, and the Fire Protection and Prevention Act, 1997, S.O. 1997, c.4 as amended, permits the Council to enact a by-law to establish and regulate a fire department

Therefore, the Council of the Corporation of the Township of Chisholm enacts as follows:

1. In this by-law, unless the context otherwise requires,
 - (A) "Approved" means approved by the municipal council.
 - (B) "Chief" means the one person appointed by a by-law of the council of the municipality to act as fire chief, or his/her designate.
 - (C) "Company" means a complement of personnel operating one or more pieces of apparatus under the supervision of an officer.
 - (D) "Council" means the Council of the Corporation of the Township of Chisholm.
 - (E) "Department" means the Corporation of the Township of Chisholm Fire Department.
 - (F) "Deputy Fire Chief" means the one person appointed by the council of the municipality to act in the place of the chief of the fire department in his/her absence or in the case of a vacancy in the department.
 - (G) "Fire Protection" means a range of programs designed to protect the lives and property of the inhabitants of the fire department response area from the adverse effects of fires, sudden medical emergencies or exposure to dangerous conditions created by man or nature and includes fire prevention and public education, rescue and suppression services, auto and farm equipment extrication, water and ice rescue.
 - (H) "Full-time fire fighter" means a person regularly employed in the fire department on a full-time salaried basis and assigned exclusively to fire protection or fire prevention duties, and includes officers and technicians.
 - (I) "Volunteer fire fighter" means a person who voluntarily acts as a fire fighter for a nominal consideration or honorarium.
2.
 - (A) A department for the Township of Chisholm to be known as the Chisholm Township Volunteer Fire Department is hereby established and the head of the department shall be known as the chief of the department.
 - (B) The (goals/mission statement) of the department shall be as those contained in Appendix "A" of this by-law and the department shall be organized as per Table 1 forming part of this by-law.
 - (C) The department's fire prevention services shall be as those listed in Appendix "B" of this by-law.
 - (D) The Chisholm Township Volunteer Fire Department shall provide emergency services as per Appendix "C" of this by-law.


3. In addition to the chief of the department, the department personnel may consist of a deputy chief and such number of officers, captains and members as from time to time may be deemed necessary by the council.
4. (A) The chief of the department may recommend to the council the appointment of any qualified person as a member of the department, subject to approved hiring policies developed by the fire chief.
- (B) A person is qualified to be appointed a member of the Department who:
 - i) has successfully completed at least Grade 8;
 - ii) is of good character, has no criminal record and has personal screening by North Bay Detachment of the Ontario Provincial Police;
 - iii) passes such aptitude and other tests as may be required by the chief of the department;
 - iv) is medically fit to be a member as certified by a physician;
 - v) 19 years of age or older.
- (C) Every member of the department appointed for fire fighting duties is subject to a medical examination at such times as the chief of the department may require.
- (D) A person appointed as a member of the department for fire fighting and fire prevention duties shall be on probation for a period of 4 months during which period he/she shall take such special training and examination as may be required by the chief of the department.
- (E) If a probationary member appointed for fire fighting or fire prevention duties fails any such examinations, the chief of the department may recommend to the council that he/she be dismissed.
5. (A) The chief of the department shall reprimand, suspend or recommend dismissal of any member for being found guilty of a criminal offense, insubordination, inefficiency, misconduct, tardiness, or for noncompliance with any of the provisions of this by-law or general orders and departmental rules, that in the opinion of the chief, would be detrimental to the discipline and efficiency of the Department,
- (B) Following the suspension of any member, the chief of the department shall report the suspension and his/her recommendations to the council,
- (C) A member shall not be dismissed without being afforded the opportunity for a hearing before council, if he/she makes a written request for such hearing within seven days after receiving his/her proposed dismissal.
6. The remuneration of all members of the department shall be as determined by the Chief of Department and approved by Council.
7. The chief of the department is responsible to council for the proper administration and operation of the department, for the discipline of its members and;
 - (A) shall develop, and publish such written (standard operating procedures and/or operational guidelines) in a policy and such general orders and departmental rules as may be necessary for the care and protection of the department, equipment and department personnel, and generally for the efficient operation of the department, provided that such general orders

and rules do not conflict with the provisions of any by-laws of the municipality,


- (B) shall review annually the policies and procedures of the department and may establish an Advisory Committee consisting of such officers as he/she may determine from time to time to assist him/her in these duties,
 - (C) shall take all proper measures for the prevention, control and extinguishment of fires and for the protection of life and property and shall enforce all municipal by-laws respecting fire prevention and exercise the powers imposed by the Fire Protection & Prevention Act, 1997, R.S.O. 2003, c.4 as amended. The Chief of the Department shall be empowered to authorize fire department members to:
 - i) pull down or demolish any building or structure to prevent the spread of fire;
 - ii) when unable to contact the property owner, to take such necessary action which may include boarding up or barricading of buildings or property to guard against fire or other danger, risk or accident;
 - iii) the corporation may recover expenses incurred by such necessary action in a manner provided by the Municipal Act.
 - (D) is responsible for the enforcement of this by-law and the general orders and departmental rules,
 - (E) shall report all fires to the Fire Marshal as required by the Fire Protection & Prevention Act, 1997, R.S.O. 2003, c.4 as amended,
 - (F) shall submit to the council for its approval the annual budget for the department.
8. The deputy fire chief shall be the second ranking officer of the department and it shall be his/her responsibility to carry out the orders of the chief, and, in the absence of the chief, has all the powers and shall perform all the duties of the chief.
9. Each division of the fire department is the responsibility of the Fire Chief and is under the direction of the Fire Chief or a member designated by the Fire Chief. Designated members shall report to the Fire Chief on divisions and activities under their supervision and shall carry out all orders of the Fire Chief.
10. Where the Fire Chief designates a member to act in the place of an officer in the fire department, such member, when so acting, has all of the powers and shall perform all duties of the officer replaced.
11. (A) The chief shall develop an approved fire department promotional policy based on such evaluations, written, practical and oral examinations as deemed necessary,
- (B) As part of the approved promotional policy, the chief of the department and the deputy chief shall evaluate all members of the department who are participating in an examination for promotion,
- (C) When in the opinion of the chief of the department, all other factors for the promotion of two or more members are equal, seniority of service in the department governs,
12. (A) The fire fighting and station record of each member of the department shall be annually evaluated as follows:

- i) The fire chief shall review the performance of each member of the department.
- 13. The department shall not respond to a call with respect to a fire or emergency outside the limits of the municipality except with respect to a fire or emergency,
 - (A) in a municipality with which an agreement has been entered into to provide fire protection,
 - (B) at the discretion of the chief to a municipality authorized to participate in the district emergency fire service plan and program or any other organized plan or program on a reciprocal basis,
- 14. In all emergency situations, the order of command shall be determined by the Incident Management System, as defined in the mutual aid agreement.
- 15. This by-law comes into effect the day it is passed by Council.

Read a first, second and third time and passed this 23rd day of April, 2013.



Mayor, Léo Jobin



Clerk-Treasurer, Linda M. Ringler

APPENDIX "A"

PRIMARY GOALS OF THE FIRE DEPARTMENT

The goal of the fire department is to provide fire protection services through a range of programs designed to protect the lives and property of the inhabitants from the adverse effects of fires, sudden medical emergencies or exposure to dangerous conditions created by man or nature; first to their municipality; second, to those municipalities requiring assistance through authorized emergency fire service plan and program (mutual aid) activities; and third, to those municipalities which are provided fire protection by the fire department via authorized agreement.

Primary objectives of the fire department:

In order to achieve the goal of the fire department, necessary funding must be in place and the following objectives met:

1. Identify and review the fire services requirements of the municipality.
2. Provide an administrative process consistent with the needs of the department.
3. Ensure that fire fighting equipment and operating personnel are available within the municipality to provide adequate response to a citizen's call within a reasonable length of time.
4. Provide departmental training to an accepted standard which will ensure the continuous up-grading of all personnel in the latest techniques of fire prevention, fire fighting and control of emergency situations and to co-operate with other municipal departments with respect to management training and other programs.
5. Provide a maintenance program to ensure all fire protection apparatus, including allied equipment, is ready to respond to emergency calls.
6. Provide an effective fire prevention program to:
 - (a) Ensure, through plan examination and inspection, that required fire protection equipment is installed and maintained within buildings.
 - (b) Reduce and/or eliminate fire hazards.
 - (c) Ensure compliance with applicable municipal, provincial and federal fire prevention legislation, statutes, codes and regulations in respect to fire safety.
7. Develop and maintain an effective public information system and educational program.
8. Ensure in the event of a major catastrophe in the municipality, assistance to cope with the situation is available from outside departments and other agencies.
9. Develop and maintain a good working relationship with all federal, provincial, and municipal departments, utilities and agencies, related to the protection of life and property.
10. Interact with other municipal departments respecting the aspects of fire on any given program.
11. Ensure these objectives are not in conflict with any other municipal department.

FIRE DEPARTMENT MISSION STATEMENT

The primary mission of the **Chisholm Township Volunteer Fire Department** is to provide a range of programs to protect the lives and property of the inhabitants of **Chisholm Township** from the adverse effects of fires, sudden medical emergencies or exposure to dangerous conditions created by man or nature, including water and ice rescue, auto and farm equipment extrication.

APPENDIX "B"

FIRE PREVENTION POLICY

General

The Fire Protection and Prevention Act, 1997, Section 2(1) states:

1. Every municipality shall:
 - a. establish a program in the municipality which must include public education with respect to fire safety and certain components of fire prevention; and
 - b. provide other fire protection services as it determines may be necessary in accordance with its needs and circumstances.

Therefore, as a minimum accepted model, the municipality shall provide the services listed below:

1. a smoke alarm program;
2. fire safety education material distributed to residents/occupants;
3. fire safety inspections of private residential occupancies: upon complaint or when requested to assist with code compliance (including any code enforcement);
4. fire safety inspections: to include follow-up and enforcement as necessary;
5. simplified risk assessment.

Depending on periodic risk assessments, additional services may be required to meet the needs and circumstances of the municipality. Since the municipality must be able to demonstrate that they can meet their needs and circumstances, prevention programs under this policy should be measured to ensure effectiveness. This shall be the responsibility of the Fire Chief.

Upon request, copies of this policy are available for the public through the Fire Department.

Smoke Alarm Program

The objective of the smoke alarm program is the provision, installation and maintenance of a working smoke alarm in every residential occupancy in the municipality. Activities to help achieve this goal include:

- distribution of pamphlets or other education material
- instruction to residents regarding smoke alarms
- providing a program for residents to acquire smoke alarms for a reduced or no cost
- providing advice and/ or assistance on the installation of the smoke alarms
- inspection requests – from residents to determine compliance with the smoke alarm provisions of the Fire Code or any municipal by-laws.

Public Education Programs

The Fire Chief and the fire department members will provide a variety of fire prevention education programs for the municipality's population. Priority will be given to those groups/segments of the municipality that are at the greatest risk. Presently, those groups are children, seniors and others as per risk assessment.

Fire safety education material may be distributed to residents/occupants by any combination of the following activities:

- distribution of pamphlets or other education material
- public service announcements utilizing available media
- instruction to residents/occupants on fire safety matters (for example, presentations to community groups such as scouts, brownies, seniors, child caregivers, etc.)

Public fire safety education material will address such issues as preventing fire occurrence, planning to escape from fire, being prepared to deal with a fire incident and the value of smoke alarms.

The public may also request tours of the fire station and the Fire Chief will make arrangements and assign personnel to conduct the tours.

Inspections

Private Residential Occupancies:

It is the policy of the fire department to conduct or arrange for fire prevention/safety inspection of occupancies upon request or complaint to assess the occupant/owner's compliance with the Fire Protection & Prevention Act. Any inspection must include notification of the property owner or responsible party, appropriate follow-up and enforcement as necessary.

Woodstoves

Woodstove inspections are not done by the fire department at owners' requests. Inspections of woodstoves if necessary as the result of an emergency call will be limited to the visible portion of the unit and where the flue pipe breaches the wall. Inspections will be in accordance with CAN3-B365 "Installation Code for solid fuel burning appliances and equipment".

Open Air Burning

Open air burning is only permitted as per the Ontario Fire Code. Any burning will only be conducted with the approval of the Fire Chief in accordance with his/her written instruction or as per the municipality's burning permit system.

Conclusion

This fire prevention policy provides for the participation of all fire department members in prevention and public education activities. It also addresses all types and frequency of inspections directed by Council. This policy is intended as firm direction to the Fire Chief and fire department and the public.

APPENDIX "C"

SCOPE OF EMERGENCY SERVICES PROVIDED

General

Services are intended to provide assistance for the protection of life and property and the welfare of the community, to the level of training and equipment of the Fire Department.

Provision of services shall be commensurate with the emergency location and the accessibility of the location, as deemed appropriate by the first responding personnel, in their discretion.

With respect to the delivery of the described services it is the objective of the Fire Department after receiving dispatch to have adequate resources to protect exposures and the spread of fire, minimum expectation would be exterior attack with no expected rescue component.

Rescue

Shall consist of:

- Vehicle extrication to the level of training and equipment available.
- Where possible to carry out removal of victims from burning structures as rapidly as possible, given that each situation must be dealt with on the basis of its own unique circumstances.
- Removal of victims from toxic atmospheres, provided that such removal can be accomplished with the equipment carried on the fire apparatus.
- Ice and water rescue to the level of training and equipment available.
- Assistance shall be provided to other agencies to effect rescues necessitated by natural or man-made disasters, falls from heights, lost & missing persons, vehicle accidents and similar occurrences.

Fire Suppression

Shall consist of:

- Suppression of structure fires and related outbuildings in areas 'deemed' accessible.
- Suppression of grass and bush fires, accessible subject to the Ministry of Natural Resources Agreement that may be in effect at the time.
- Protection of structures threatened by fire, in areas 'deemed' accessible.
- Suppression of vehicle fires.
- Suppression of fires involving non-structural property, provided said property is land based or attached to land.
- Mutual Aid.
- Community Emergency Plan participation.

Hazardous Materials Incidents

- Team response to Hazardous Material Incidents shall be limited to the level of training and equipment carried on the apparatus.

TABLE 1

THE CORPORATION OF THE TOWNSHIP OF CHISHOLM
ORGANIZATIONAL CHART

